



W.P.(MD)No.31336 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2025**

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THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.31336 of 2025

P.Jeevananthan

...Petitioner

vs.

1.The District Registrar,
Dindigul District, Dindigul.

2.The Sub Registrar,
Office of the Sub Registrar,
Shanarpatty, Dindigul District.

3.Sanarpatti Panchayat Union,
by its Commissioner,
Shanarpatty, Dindigul District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the first and second respondents, to remove the entry of attachment as to Document No.L.No.22/1988 with the office of the Sub-Registrar of Shanarpatty, the second respondent herein, pertaining to order of attachment dated 13.05.1988 and 07.06.1988 in respect of the lands to an extent of about 1 Acre 34 Cents comprised in Survey No. 291/1, 42 Cents comprised in Survey No.297/2, 3 Acres 55 Cents comprised in Survey No.270/3, 71 Cents comprised in Survey No.295 and 23 Cents comprised in Survey No.296, Aavulipatti Village (then) Dindigul Taluk presently Dindigul East Taluk, Dindigul by considering the representation of the petitioner dated 25.06.2025, within the time frame fixed by this Court.



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For Petitioner : Mr.G.Aravinthan
for M/s.Aran Legal Consultancy

For Respondents : Mr.M.Lingadurai
Special Government Pleader
for R1 & R2

Mr.S.R.A.Ramachandran
Additional Government Pleader for R3

ORDER

This Writ Petition has been filed directing the first and second respondents, to remove the entry of attachment as to the Document No.L.No. 22/1988 with the office of the Sub-Registrar of Sanarpatty, the second respondent herein, pertaining to order of attachment dated 13.05.1988 and 07.06.1988 in respect of the lands to an extent of about 1 Acre 34 Cents comprised in Survey No.291/1, 42 Cents comprised in Survey No.297/2, 3 Acres 55 Cents comprised in Survey No.270/3, 71 Cents comprised in Survey No.295 and 23 Cents comprised in Survey No.296, Aavulipatti Village, (then) Dindigul Taluk, (presently) Dindigul East Taluk, Dindigul, by considering the representation of the petitioner dated 25.06.2025.

2. The learned counsel appearing for the petitioner would submit that, in the present case, Attachment Order in E.P.No.288 of 1988 was passed on 13.05.1988 and the same was registered at the Sub Registrar Office,



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Sanarpatty, on 09.06.1988. Thereafter, the said Executive Petition was dismissed for default on 27.04.1991. The learned counsel would submit that once the Executive Petition was dismissed for default, interim orders passed therein, including the Attachment Order dated 13.05.1988 would stand vacated. However, no entry has been made by the second respondent, subsequent to the dismissal of the Executive Petition on 27.04.1991.

3. The learned Special Government Pleader appearing for the respondents 1 and 2, after taking instructions, would submit that the said dismissal order has not been produced before the authorities for the purpose of registration and hence, the authorities were not in a position to remove the entries already made and neutralise them.

4. The learned Additional Government Pleader appearing for the third respondent would submit that E.P.No.288 of 1988 was dismissed for default as early as on 27.04.1991. Thereafter, no application has been filed for the purpose of registration before the second respondent.

5. I have given due consideration to the submissions made on either sides.



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6. In the present case, Attachment Order was passed on 13.05.1988 in E.P.No.288 of 1988 by the District Munsif, Dindigul. The said order was also registered at the Sub Registrar Office, Sanarpatty on 09.06.1988. Thereafter, the Executive Petition came to be dismissed for default on 27.04.1991 and once the Executive Petition is dismissed, admittedly, interim orders passed therein, including the Attachment Order dated 13.05.1988 would stand vacated. Therefore, from the date of dismissal of the Executive Petition, Attachment Order dated 13.05.1988 would stand raised. Such being the case, since the petitioner failed to file the dismissal order before the Sub Registrar Office, Sanarpatty, the authorities were not in a position to register the same.

7. In the facts and circumstances of the case, this Court passes the following orders:-

(i) The petitioner shall file the dismissal order dated 27.04.1991 passed in E.P.No.288 of 1988 along with the present order passed by this Court in W.P.(MD)No.31336 of 2025, dated 01.12.2025 before the Sub Registrar, Office of the Sub Registrar, Sanarpatty, Dindigul District / second respondent.

(ii) On such orders being filed, the second respondent is directed to Register the dismissal order dated 27.04.1991 passed in E.P.No.288 of 1988



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and make necessary entries with regard to the observation made by this Court to the extent of raising the Attachment Order 13.05.1988 with effect from 27.04.1991.

8. With the above directions, this Writ Petition stands disposed of. No costs.

01.12.2025

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

1.The District Registrar,
Dindigul District, Dindigul.

2.The Sub Registrar,
Office of the Sub Registrar,
Shanarpatty Dindigul District.

3.The Commissioner,
Sanarpatti Panchayat Union,
Shanarpatty, Dindigul District.



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KRISHNAN RAMASAMY, J.

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